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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,148	10/15/2001	Rodney Kern	29020/99020B	6187

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HANLEY, FLIGHT & ZIMMERMAN, LLC
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EXAMINER

REDMAN, JERRY E

ART UNIT PAPER NUMBER

3634

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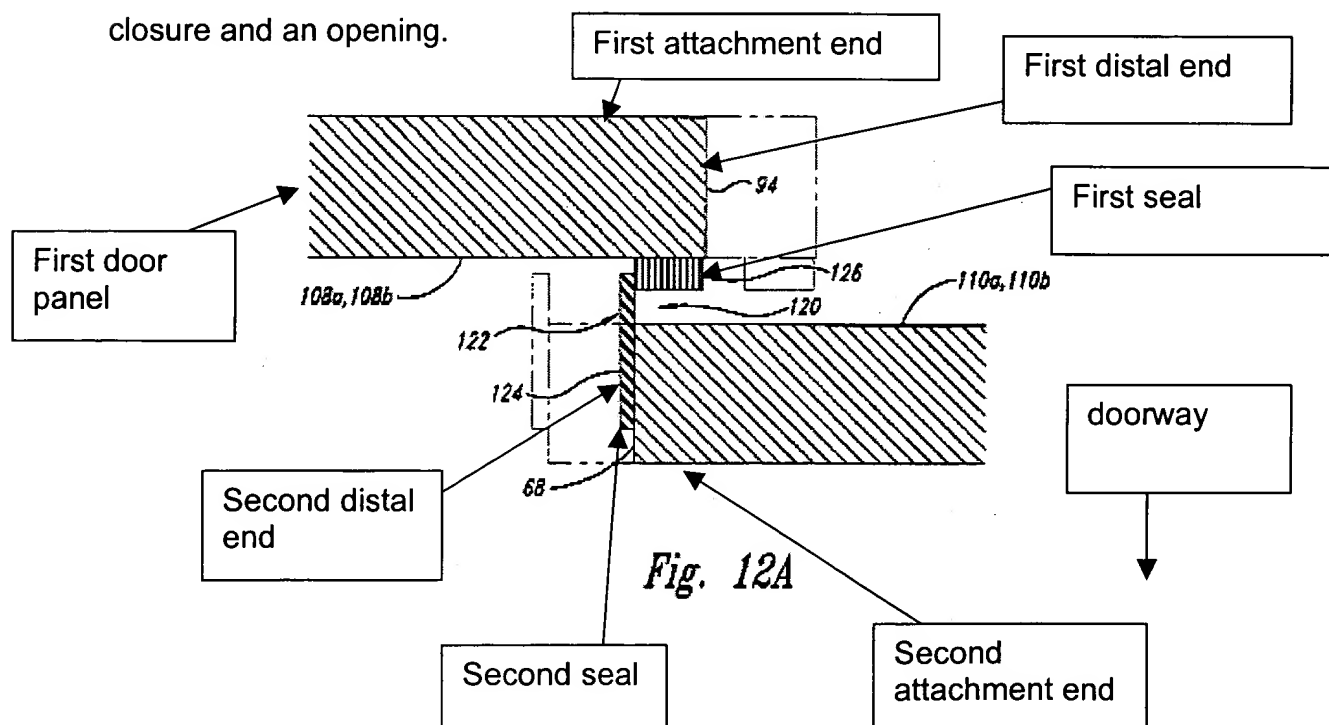
Please find below and/or attached an Office communication concerning this application or proceeding.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 7-11, 15, and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Allen. As shown in Figures 10A, 10B or 12A, and 12B, Allen discloses a first door panel (108a) which translates along a tilted track between open and closed positions, a first seal (126) attached between an attachment end and a distal end, and a second seal (124, the corner end of the seal forms an L-shape along two surfaces) attached between a second attachment end and a distal end and having the same cross-sectional shape (both rectangular), wherein upon closing of the door panel (108a) the seals provide a compression with respect to each other to seal a gap between a closure and an opening.



The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen in view of Clark. All of the elements of the instant invention are discussed in detail above except providing an actuation system for driving the door panel between an open and closed position. Clark discloses an actuation system, which drives a door panel laterally between an opened and closed position. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a the door assembly of Allen with an actuation system as taught by Clark since an actuation system allows the doors to be automatically opened and closed.


The applicant's arguments have been considered but are not deemed persuasive. It appears that the applicant's arguments are more limiting than that of the claims. The rectangular seals as discussed in detail above having four sides whereby all four sides are "sealing surfaces" per se with one of them "facing" the doorway. The applicant argues that certain surfaces of the seal are either not sealing surfaces and/or

are not spaced from the surface. As discussed in detail above, all four surfaces of the rectangular seal above are "sealing surfaces" and at least one sealing surface faces the surface and is spaced from the surface.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 703-308-2120.


Jerry Redman
Primary Examiner